

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JAYLA ALLEN, DAMON JOHNSON, TREASURE SMITH, and THE PANTHER PARTY,

*Plaintiffs,*

v.

WALLER COUNTY, TEXAS; THE WALLER COUNTY COMMISSIONERS COURT; JUDGE CARBETT “TREY” J. DUHON III, in his official capacity as the Waller County Judge; CHRISTY A. EASON, in her official capacity as the Waller County Elections Administrator,

*Defendants.*

Civil Case No. 4:18-cv-3985

**NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF  
PLAINTIFFS’ MEMORANDUM OF LAW IN OPPOSITION TO  
DEFENDANTS’ RULE 12(b)(6) MOTION TO DISMISS  
PLAINTIFF’S FIRST AMENDED COMPLAINT**

Individual Plaintiffs Jayla Allen, Damon Johnson, and Treasure Smith, and organizational Plaintiff the Panther Party write to provide the Court with notice of a July 30, 2019 ruling in *Casey v. Gardner*, No. 19-cv-00149-JL (D.N.H.).

In that ruling, U.S. District Court Judge Joseph LaPlante denied defendants’ motion to dismiss plaintiffs’ claims under the Fourteenth and Twenty-Sixth Amendments to the U.S. Constitution, which were brought by two college students who are challenging a New Hampshire voter residency law as an intentional burden on their right to vote.<sup>1</sup> This opinion in *Casey* was issued after the parties in this case fully briefed the court on defendants’ pending motion to dismiss.

---

<sup>1</sup> The court in *Casey* issued its decision following a motion hearing. A written order is to follow, which has yet to be issued. In the interim, Plaintiffs in this case attached a transcript of that hearing as **Exhibit A** to this supplemental document. The relevant discussion about the age-discrimination claims can be found beginning at page 61, line 21, through page 79, line 15.

Respectfully submitted on August 28, 2019,

/s/ Leah C. Aden

Leah C. Aden\*  
Deuel Ross\*  
Kristen A. Johnson\*  
John S. Cusick\*  
**NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.**  
40 Rector Street, 5th Floor  
New York, New York 10006  
Phone: (212) 965-2200  
Fax: (212) 226-7592  
laden@naacpldf.org  
dross@naacpldf.org  
kjohnson@naacpldf.org  
jcusick@naacpldf.org

Catherine Meza\*  
**NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.**  
700 14th Street NW, Suite 600  
Washington, DC 20005  
Phone: (202) 682-1300  
Fax: (212) 226-7592  
cmeza@naacpldf.org

\**Pro Hac Vice*

Adam T. Schramek (SDTX 31913)  
State Bar No. 24033045  
Attorney-in-Charge  
**NORTON ROSE FULBRIGHT US LLP**  
98 San Jacinto Boulevard, Suite 1100  
Austin, Texas 78701-4255  
Telephone: (512) 474-5201  
Facsimile: (512) 536-4598  
adam.schramek@nortonrosefulbright.com

Julie Goodrich Harrison (SDTX 3017799)  
State Bar No. 24092434  
Nicole Lynn (SDTX 3041738)  
State Bar No. 24095526  
**NORTON ROSE FULBRIGHT US LLP**  
1301 McKinney Street, Suite 5100  
Houston, Texas 77010  
Telephone: (713) 651-5151  
Facsimile: (713) 651-5246  
julie.harrison@nortonrosefulbright.com  
nicole.lynn@nortonrosefulbright.com

William F. Calve (SDTX 3206298)  
State Bar No. 24096505  
**NORTON ROSE FULBRIGHT US LLP**  
300 Convent Street, Suite 2100  
San Antonio, Texas 78205-3792  
Telephone: (210) 270-7132  
Facsimile: (210) 270-7205  
william.calve@nortonrosefulbright.com

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 28, 2019, I electronically filed a true and correct copy of the above document with the Clerk of Court by using the CM/ECF system, which automatically provides notice of filing to all counsel of record.

/s/ Leah C. Aden  
Leah C. Aden

# **EXHIBIT A**